

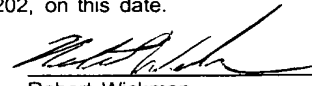


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Nemerow et al.**
Serial No.: 09/903,327
Filed: July 10, 2000
For: **BIFUNCTIONAL MOLECULES AND
VECTORS COMPLEXED
THEREWITH FOR TARGETED
GENE DELIVERY**
Art Unit: 1632

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents,
P.O. Box 2327
Arlington, VA 22202, on this date.

05/21/2002
Date


Robert Wickman

RECEIVED

JUN 05 2002

TECH CENTER 1600/2002

REQUEST FOR CORRECTED FILING RECEIPT

U.S. Patent & Trademark Office
P.O. Box 2327
Arlington, VA 22202

Sir:

Attached is a copy of the official (updated) filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

Included are the following:

1. Copy of the updated Filing Receipt for the above-captioned application, mailed March 29, 2002;
2. Declaration for Patent Application;
3. Copy of Request for Corrected Filing receipt filed October 19, 2001.

Under **CONTINUING DATA AS CLAIMED BY APPLICANT**, please insert the following

Priority Information:

**THIS APPLN CLAIMS BENEFIT OF PRIORITY TO U.S. PROVISIONAL
APPLN. SERIAL NO. 60/325,781, 07/10/2001 converted from U.S. Appln.
Serial No. 09/613,017, 07/10/2000**

U.S.S.N. 09/903,327

Nemerow et al.

REQUEST FOR CORRECTED FILING RECEIPT

The priority information requested for correction in this application was specified and filed with the application on July 10, 2001, specified in the Declaration for Patent Application and filed in Response to Missing Parts on October 19, 2001. The correct priority information was **not** listed on the original filing receipt received from the United States Patent & Trademark Office (PTO) mailed August 30, 2001, nor was it corrected and listed on the updated filing receipt mailed March 29, 2002.

As claimed in the Declaration and specified on page 1 of the Specification, benefit of priority is claimed under 35 U.S.C. §119(e) to the provisional application to which U.S. application Serial No. 09/613,017, filed July 10, 2000, was converted. The provisional application has Serial No. 60/325,781.

Applicants respectfully request that this error be corrected and that the Applicant(s) be provided a new Official Filing Receipt.

- ☒ The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP.

By:


Stephanie Seidman
Registration No. 33,779

SLS/rmw
Attorney Docket 22908-1228B
Address all correspondence to:
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, 7th Floor
San Diego, California 92122-1246
Telephone: (858) 450-8400
Facsimile: (858) 587-5360
E-mail: sseidman@HEWM.com



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Nemerow et al.**

Serial No.: 09/903,327

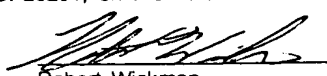
Filed: July 10, 2000

For: **BIFUNCTIONAL MOLECULES AND
VECTORS COMPLEXED
THEREWITH FOR TARGETED GENE
DELIVERY**

Art Unit: 1632

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents,
Washington, D.C. 20231, on this date.

10/19/2001
Date


Robert Wickman

REQUEST FOR CORRECTED FILING RECEIPT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Attached is a copy of the official filing receipt received from the PTO in the above application for which issuance of a corrected filing receipt is respectfully requested.

Under **APPLICANT(S)**, please insert the following corrected information:

GLEN R. NEMEROW, ENCINITAS, CA
ERGUANG LI, SAN DIEGO, CA

Under **CONTINUING DATA AS CLAIMED BY APPLICANT**, please insert the following

Priority Information:

—THIS APPLN CLAIMS BENEFIT OF 09/613,017 07/10/2000
converted to provisional application 07/10/2001—

Applicants respectfully request that these errors be corrected and Applicants be provided a new Official Filing Receipt.

RECEIVED
JUN 05 2002
TECH CENTER 1600/2900

U.S.S.N. 09/903,327

Nemerow et al.

REQUEST FOR CORRECTED FILING RECEIPT



The Commissioner is hereby authorized to charge any fee, including that submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,
HELLER EHRMAN WHITE & McAULIFFE LLP.

By:


Stephanie Seidman
Registration No. 33,779

SLS/rmw

Attorney Docket 22908-1228B

Address all correspondence to:

HELLER EHRMAN WHITE & McAULIFFE LLP

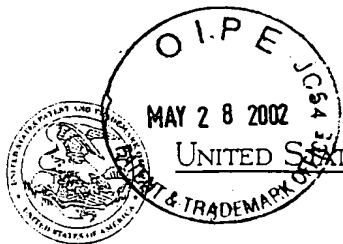
4350 La Jolla Village Drive, 6th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

E-mail: sseidman@HEWM.com

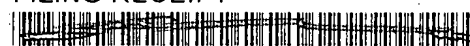


COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING DATE | GRP ART UNIT | FIL FEE REC'D | ATTY. DOCKET NO | DRAWINGS | TOT CLAIMS | IND CLAIMS |
|--------------------|-------------|--------------|---------------|-----------------|----------|------------|------------|
| 09/903,327 | 07/10/2001 | 1632 | 1052 | 22908-1228B | | 39 | 1 |

CONFIRMATION NO. 7374

FILING RECEIPT



OC00000006498821

Stephanie Seidman
Heller Ehrman White & McAuliffe LLP
6th Floor
4350 La Jolla Village Drive
San Diego, CA 92122

RECEIVED

JUN 05 2002

TECH CENTER 1600/2900

Date Mailed: 08/30/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

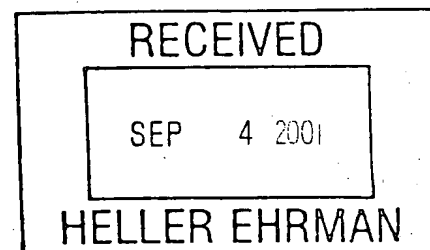
Applicant(s)

Glen R. Nemerow, Residence Not Provided, Encinitas CA
Erquang Li San Diego, CA

Domestic Priority data as claimed by applicant

This Appln claims benefit of ~~US~~ 09/613,017, 7/10/200
converted to provisional Appln 7/10/2001

Foreign Applications



If Required, Foreign Filing License Granted 08/30/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

Title

Bifunctional molecules and vectors complexed therewith for targeted gene delivery

Preliminary Class

435

Data entry by : BEGUM, SHAMIMA

Team : OIPE

Date: 08/30/2001



**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

PLEASE NOTE the following information about the Filing Receipt:

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov



Bib Data Sheet

FILE COPY

CONFIRMATION NO. 7374

| | | | | |
|------------------------------------|---|---------------------|-------------------------------|---|
| SERIAL NUMBER 09/903,327 | FILING DATE 07/10/2001 RULE | CLASS 435 | GROUP ART UNIT 1632 | ATTORNEY DOCKET NO. 22908-1228B |
|------------------------------------|---|---------------------|-------------------------------|---|

APPLICANTS

Glen R. Nemerow, Encinitas, CA;
Erguang Li, San Diego, CA;

RECEIVED

JUN 05 2002

TECH CENTER 1600/2900

** CONTINUING DATA *****

THIS APPLN CLAIMS BENEFIT OF 60/325,781 07/10/2000 ABN

** FOREIGN APPLICATIONS *****

IF REQUIRED, FOREIGN FILING LICENSE GRANTED

** 08/30/2001

| | | | | |
|---|------------------------|----------------|--------------------|-------------------------|
| Foreign Priority claimed <input type="checkbox"/> yes <input checked="" type="checkbox"/> no | STATE OR COUNTRY CA | SHEETS DRAWING | TOTAL CLAIMS 39 | INDEPENDENT CLAIMS 1 |
| 35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input checked="" type="checkbox"/> no <input type="checkbox"/> Met after Allowance | | | | |
| Verified and Acknowledged Examiner's Signature: <i>[Signature]</i> Initials: _____ | | | | |

ADDRESS

24961

TITLE

Bifunctional molecules and vectors complexed therewith for targeted gene delivery

| | | |
|------------------------------------|---|--|
| FILING FEE RECEIVED 1182 | FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following: | <input type="checkbox"/> All Fees |
| | | <input type="checkbox"/> 1.16 Fees (Filing) |
| | | <input type="checkbox"/> 1.17 Fees (Processing Ext. of time) |
| | | <input type="checkbox"/> 1.18 Fees (Issue) |
| | | <input type="checkbox"/> Other _____ |
| | | <input type="checkbox"/> Credit |



DECLARATION FOR PATENT APPLICATION

As below ~~inventors~~ inventors, we hereby declare that:

Our residences, post office addresses and citizenships are as stated below next to our names.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**BIFUNCTIONAL MOLECULES AND VECTORS COMPLEXED THEREWITH FOR
TARGETED GENE DELIVERY**

the specification of which

- () is attached hereto.
- (X) was filed by an authorized person on my behalf on July 10, 2001 as Application
Serial No. 09/903,327.
- () was amended on _____

TECHCENTER 600/2530

JUN 05 2002

RECEIVED

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate listed below and so identified, or §365(a) of any PCT international application that designated at least one country other than the United States of America, listed below, and we have also identified below any foreign application for patent or inventor's certificate or PCT international application on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

| <u>Number</u> | <u>Country</u> | <u>Day/Month/Year Filed</u> | <u>Priority Claimed (Yes or No)</u> |
|---------------|----------------|-----------------------------|---|
| N/A | | | |

We hereby claim benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

| <u>Application Serial No.</u> | <u>Filing Date</u> |
|--|--------------------|
| 09/613,017 (converted to Provisional Application July 10, 2001) | July 10, 2000 |

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|-------------------------------|--------------------|---------------|
| <u>Application Serial No.</u> | <u>Filing Date</u> | <u>Status</u> |
|-------------------------------|--------------------|---------------|

| | | |
|----------------------------|--------------------|---------------|
| <u>PCT Application No.</u> | <u>Filing Date</u> | <u>Status</u> |
|----------------------------|--------------------|---------------|

N/A

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls in respect to this application be directed to Stephanie Seidman, HELLER EHRMAN WHITE & McAULIFFE LLP, 4350 La Jolla Village Drive, Suite 600, San Diego, California 92122-1246:

| <u>Attorney</u> | <u>Reg. No.</u> |
|---------------------|-----------------|
| Stephanie Seidman | 33,779 |
| Gary H. Silverstein | 39,372 |
| Paula K. Schoeneck | 39,362 |
| Dale L. Rieger | 43,045 |

Address for correspondence: Stephanie Seidman
HELLER EHRMAN WHITE & McAULIFFE LLP
4350 La Jolla Village Drive, Suite 600,
San Diego, California 92122-1246

Full name of joint inventor: Glen R. Nemerow
 Inventor's signature: *Glen R. Nemerow*
 Date: 8/2/01
 Residence: 462 Cerro Street
 Post Office Address: Encinitas, CA 92024, U.S.A.
 Citizenship: U.S.A.

Full name of joint inventor: Erquang Li
 Inventor's signature: *Erquang Li*
 Date: 8/2/2001
 Residence: 7882 Camino Florita (E2)
~~7675 Palmilla Drive #6225~~
 Post Office Address: San Diego, CA 92122, U.S.A.
 Citizenship: China